

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, )  
 ) 4:04CR3073  
 Plaintiff, )  
 )  
 vs. ) **MEMORANDUM**  
 ) **AND ORDER**  
 ANDRE PAIN, )  
 )  
 Defendant. )

The Court has been advised that the defendant requests permission to enter a plea of guilty. The Court is further advised that the defendant will consent to Judge Piester conducting the hearing on the plea of guilty.

IT IS ORDERED that:

1. This case, insofar as it concerns this defendant, is removed from the trial docket based upon the request of the defendant.
2. A hearing on the defendant's anticipated plea of guilty is scheduled before Magistrate Judge Piester on the 20th day of September, 2005, at the hour of 1:30 p.m., in Courtroom No. 2, United States Courthouse and Federal Building, 100 Centennial Mall, North, Lincoln, Nebraska.
3. On or before the date set for the plea proceeding, counsel for plaintiff and for defendant shall provide to the assigned probation officer their respective versions of the offense for purposes of preparing the presentence investigation report.
4. For this defendant, the time between today's date and the hearing on the anticipated plea of guilty is excluded for purposes of computing the limits under the Speedy Trial Act. See 18 U.S.C. sec. 3161(h)(1)(I)&(h)(8)(A)(B).

September 7, 2005.

BY THE COURT:

*s/ Richard G. Kopf*  
United States District Judge